

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HECTOR MUNOZ-ZULETA

Plaintiff,

-against-

J. KROM, *et al.*,

Defendants.

23-CV-7225 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently incarcerated at Sullivan Correctional Facility, filed this action *pro se* on August 14, 2023. Because Plaintiff submitted a request to proceed *in forma pauperis* (“IFP”), that is without prepayment of fees, but did not submit a prisoner authorization, by order dated August 18, 2023, the Court directed Plaintiff to either pay the \$402.00 in filing fees required to file a civil action in this court or submit a completed and signed prisoner authorization within thirty days of the day of that order. (ECF No. 3.) Plaintiff has not paid the filing fees or submitted a completed and signed prisoner authorization.

On August 29, 2023, Plaintiff filed a motion (ECF No. 4), seeking to dismiss this action. The Court grants Plaintiff’s motion. This action is therefore dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

CONCLUSION

Plaintiff’s motion (ECF No. 4) is granted. This action is voluntarily dismissed pursuant to Fed. R. Civ. P. 41(a). This order closes this case.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v.*

United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: August 31, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge